



Before the Appellate Board
National Electric Power Regulatory Authority
(NEPRA)
Islamic Republic of Pakistan

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No. NEPRA/Appeal/047/2024/ 225

March 13, 2025

- | | |
|---|---|
| 1. Ehsanullah Butt,
S/o. Muhammad Sharif,
R/o. Gate Bakar Mandi,
Gujranwala | 2. Chief Executive Officer,
GEPCO Ltd, 565-A,
Model Town, G. T. Road,
Gujranwala |
| 3. Muhammad Siddique Malik,
Advocate High Court,
Room No. 6, 2 nd Floor, Imtiaz Plaza,
85-The Mall, Lahore
Cell No. 0300-6450979 | 4. Sub Divisional Officer,
GEPCO Ltd,
Sheranwala Bagh Sub Division,
Gujranwala |
| 5. POI/Electric Inspector,
Gujranwala Region,
Energy Department, Govt. of Punjab,
Munir Chowk, Near Kacheri Road,
Gujranwala | |

Subject: **Appeal No.047/2024 (GEPCO Vs. Ehsanullah Butt) Against the Decision Dated 22.03.2023 of the Provincial Office of Inspection to Government of the Punjab Gujranwala Region, Gujranwala**

Please find enclosed herewith the decision of the Appellate Board dated 13.03.2025 (04 pages), regarding the subject matter, for information and necessary action, accordingly.

Encl: **As Above**

(Ikram Shakeel)
Deputy Director
Appellate Board

Forwarded for information please.

1. Director (IT) –for uploading the decision of the Appellate Board on the NEPRA website



National Electric Power Regulatory Authority

Before The Appellate Board

In the matter of

Appeal No.047/POI-2024

Gujranwala Electric Power Company Limited

.....Appellant

Versus

Ehsanullah Butt S/o. Muhammad Sharif,
R/o. Gate Bakar Mandi, Gujranwala

.....Respondent

APPEAL UNDER SECTION 38(3) OF THE REGULATION OF GENERATION, TRANSMISSION, AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997

For the Appellant:

Mr. Muhammad Siddique Malik Advocate

For the Respondent:

Nemo

DECISION

1. As per the facts of the case, Ehsanullah Butt (hereinafter referred to as the “Respondent”) is an industrial consumer of Gujranwala Electric Power Company Limited (hereinafter referred to as the “Appellant”) bearing Ref No.24-12122-1192000 having sanctioned load of 08 kW and the applicable tariff category is B-1(b). The display of the billing meter of the Respondent was found defective during M&T team checking dated 30.07.2020 of the Appellant, hence it was replaced with a new meter by the Appellant on 18.08.2020. Notice dated 23.10.2020 was issued to the Respondent regarding the above discrepancy and a detection bill of Rs.239,874.9/- for 10,097 units for the period from July 2019 to March 2020 was debited to the Respondent based on the consumption of July 2018 to March 2019 and added to the bill for January 2021.
2. Being aggrieved, the Respondent filed a complaint before the Provincial Office of Inspection, Gujranwala Region, Gujranwala (hereinafter referred to as the “POI”) and challenged the above detection bill with the plea that his premises remained closed during the disputed period from July 2019 to March 2020 due to slump of business. The complaint of the Respondent was

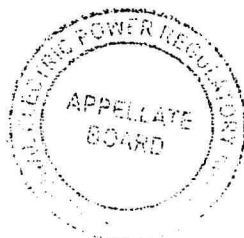


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- disposed of by the POI vide decision dated 22.03.2023, wherein the detection bill of Rs.239,874.9/- for 10,097 units for the period from July 2019 to March 2020 was cancelled.
3. Being dissatisfied, the Appellant has filed the instant appeal before NEPRA and assailed the decision dated 22.03.2023 of the POI (hereinafter referred to as the "impugned decision"). In its appeal, the Appellant opposed the maintainability of the impugned decision, *inter-alia*, on the following grounds that the impugned decision is against the law and facts of the case; that the POI passed the impugned decision without perusing the record and the evidence; that the POI misconstrued the real facts of the case and law applicable on the subject and erred in holding that the detection bill of Rs.239,874.9/- for 10,097 units for the period from July 2019 to March 2020 as null and void; that the POI miserably failed to analyze the consumption data in true perspective; and that the impugned decision is liable to be set aside.
 4. Notice dated 27.06.2024 of the appeal was issued to the Respondent for filing reply/para-wise comment, which however were not filed.
 5. Hearing of the appeal was conducted at NEPRA Regional Office Lahore on 02.11.2024, wherein learned counsel appeared for the Appellant and no one represented the Respondent. Learned counsel for the Appellant contended that the billing meter of the Respondent became defective with a vanished display in July 2019 and it was replaced with a new meter by the Appellant in July 2020 during this period nil consumption was charged to the Respondent. Learned counsel for the Appellant further contended that a detection bill of Rs.239,874.9/- for 10,097 units from July 2019 to March 2020 was debited to the Respondent based on the corresponding consumption of the previous year. Learned counsel for the Appellant argued that the POI did not consider the real aspects of the case and erroneously declared the above detection bill as null and void. Learned counsel for the Appellant prayed that the impugned decision is unjustified and liable to be struck down.
 6. Having heard the arguments and record perused. Following are our observations:
 - 6.1 **Detection bill of Rs.239,874.9/- for 10,097 units for the period from July 2019 to March 2020 charged in January 2021:**
As per the available record, the billing meter of the Respondent was found defective with the vanished display on 30.07.2020 and it was replaced with a new meter vide MCO dated 18.08.2020, thereafter, a detection bill of Rs.239,874.9/- for 10,097 units for the period from July 2019 to March 2020 was debited to the Respondent in January 2021, which is under dispute.
 - 6.2 If presumed, the impugned meter became defective in July 2019 as to why the Appellant took



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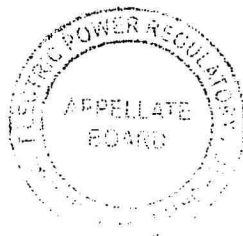
more than one year to replace the impugned meter. The Appellant even did not produce the impugned meter before the POI for checking. On the other hand, the Respondent took the plea that his business remained closed during the disputed period, however, he neither joined proceedings before this forum nor submitted any document, which could establish that his business remained closed during the disputed period. To further check the justification of the above detection bill, consumption data is analyzed below:

Period before dispute		Disputed period		Period after dispute	
Month	Units	Month	Units	Month	Units
Aug-18	1445	Jul-19	0	Aug-20	3
Sep-18	1275	Aug-19	0	Sep-20	841
Oct-18	1268	Sep-19	0	Oct-20	1197
Nov-18	967	Oct-19	0	Nov-20	1137
Dec-18	1173	Nov-19	0	Dec-20	881
Jan-19	1140	Dec-19	0	Jan-21	844
Feb-19	1119	Jan-20	0	Feb-21	1066
Mar-19	889	Feb-20	0	Mar-21	831
Apr-19	1310	Mar-20	0	Apr-21	671
May-19	1286			May-21	746
Jun-19	353			Jun-21	773
Average	1111	Average	0	Average	817
Detection bill @ 1122 units/month					

As evident from the above table, nil consumption was charged during the disputed period, whereas healthy consumption was recorded during the periods before and after the dispute. The above comparison of consumption negates the version of the Respondent regarding the closure of business during the dispute period. Hence the detection bill of Rs.239,874.9/- for 10,097 units for the period from July 2019 to March 2020 charged to the Respondent based on consumption of corresponding months of the previous year is justified being in line with Clause 4.3.1(b) of the CSM-2021 and payable by the Respondent. Moreover, the Appellant may charge the bills w.e.f checking dated 30.07.2020 and onwards till the replacement of the impugned meter on 18.08.2020 on DEF-EST code as per Clause 4.3.1(b) of the CSM-2021.

7. Summing up the foregoing discussion, it is concluded that:

7.1 The detection bill amounting to Rs.239,874.9/- for 10,097 units for the period from July 2019 to March 2020 charged by the Appellant is justified and payable by the Respondent.







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- 7.2 The bills w.e.f checking dated 30.07.2020 and onwards till the replacement of the impugned meter on 18.08.2020 on DEF-EST code as per Clause 4.3.1(b) of the CSM-2021.
- 7.3 The billing account of the Respondent may be overhauled after adjusting payments made against the impugned detection bill.
8. Impugned decision is modified in the above terms.

On leave
Abid Hussain
Member/Advisor (CAD)

Dated: 13-03-2025


Naweed Illahi Sheikh
Convener/DG (CAD)


Muhammad Irfan-ul-Haq
Member/ALA (Lic.)

